

**SAN ANTONIO ZONING COMMISSION
OFFICIAL MINUTES
February 17, 2009**

1. The Zoning Commission of the City of San Antonio met in the 1st Floor, Board Room of the Cliff Morton Development and Business Services Center at 1901 S. Alamo.

1:00 PM – Public Hearing

2. Roll Call.

PRESENT: Gadberry, McFarland, J. Valadez, Westheimer, Sherrill, Hawkins, Myers, Wright, Martinez, Gray

ABSENT: R. Valadez

3. Approval of February 3, 2009 Zoning Commission Minutes.

Chairman Gadberry stated Zoning Case No. Z2009039 S has been postponed therefore no action will be taken.

COMBINED HEARING:

Commissioner Westheimer made a motion to approve the following rezoning cases with conditions and amendments as staff has recommended. Additionally, no citizens have signed to speak in opposition on the said cases: items 7, 8, 11 and 12. The motion was seconded by Commissioner Sherrill.

4. **ZONING CASE NUMBER Z2009035 (Council District 1):** A request for a change in zoning from "H C-3R" General Commercial Restrictive Alcohol Sales Tobin Hill Historic District to "H R-5" Residential Single-Family Tobin Hill Historic District on north 110.55 feet of Lot 3, NCB 1751, 306 East Myrtle Street. Staff recommends approval.

Staff stated there were 24 notices mailed out to the surrounding property owners, 0 returned in opposition and 2 returned in favor and Tobin Hill Neighborhood and Tobin Hill Residents Association are in favor. Staff mailed 33 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner Westheimer and seconded by Commissioner Sherrill to recommend approval.

AYES: Gadberry, McFarland, J. Valadez, Westheimer, Sherrill, Hawkins, Myers, Wright, Martinez, Gray

NAY: None

THE MOTION CARRIED

5. ZONING CASE NUMBER Z2009037 (Council District 2): A request for a change in zoning from "I-1" General Industrial District to "L" Light Industrial District on Lot 5, Block 1, NCB 13630, 5711 Industry Park Drive. Staff recommends approval.

Staff stated there were 10 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 returned in favor.

COMMISSION ACTION

The motion was made by Commissioner Westheimer and seconded by Commissioner Sherrill to recommend approval.

AYES: Gadberry, McFarland, J. Valadez, Westheimer, Sherrill, Hawkins, Myers, Wright, Martinez, Gray

NAY: None

THE MOTION CARRIED

6. ZONING CASE NUMBER Z2009040 (Council District 5): A request for a change in zoning from "I-1" General Industrial District to "C-3NA" General Commercial Nonalcoholic Sales District on Lot 9, NCB 7572, 907 Frio City Road. Staff recommends approval.

Staff stated there were 12 notices mailed out to the surrounding property owners, 0 returned in opposition and 2 returned in favor and no response from Collins Garden Neighborhood Association.

COMMISSION ACTION

The motion was made by Commissioner Westheimer and seconded by Commissioner Sherrill to recommend approval.

AYES: Gadberry, McFarland, J. Valadez, Westheimer, Sherrill, Hawkins, Myers, Wright, Martinez, Gray

NAY: None

THE MOTION CARRIED

7. ZONING CASE NUMBER Z2009044 S (Council District 3): A request for a change in zoning from "C-2NA" Commercial Nonalcoholic Sales District to "C-2 S" Commercial District with a Specific Use Authorization for a party house, reception hall, meeting facility on 0.201 acres out of NCB 11982, 3750-3800 Commercial Avenue. Staff recommends approval.

Staff stated there were 2 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor.

COMMISSION ACTION

The motion was made by Commissioner Westheimer and seconded by Commissioner Sherrill to recommend approval.

AYES: Gadberry, McFarland, J. Valadez, Westheimer, Sherrill, Hawkins, Myers, Wright, Martinez, Gray

NAY: None

THE MOTION CARRIED

INDIVIDUAL CONSIDERATION:

8. **ZONING CASE NUMBER Z2009032 (Council District 1):** A request for a change in zoning from "C-3" General Commercial District to "C-3 HS" General Commercial Historic Significance District on the east 114.6 feet of Lot 14, Block 3, NCB 1726, 2011 McCullough. Staff recommends approval.

City staff presented this case.

The following citizen(s) appeared to speak:

Rollette Schreckenghost, representing San Antonio Conservation Society, spoke in favor.

Richard Brownley, owner, spoke in opposition.

Staff stated there were 27 notices mailed out to the surrounding property owners, 7 returned in opposition and 0 returned in favor and no response from Tobin Hill Neighborhood Association or Tobin Hill Residents Association.

COMMISSION ACTION

The motion was made by Commissioner Westheimer and seconded by Commissioner Sherrill to recommend approval.

AYES: McFarland, Westheimer, Sherrill, Gray

NAY: Gadberry, J. Valadez, Hawkins, Myers, Wright, Martinez

THE MOTION FAILS

9. **ZONING CASE NUMBER Z2009038 (Council District 7):** A request for a change in zoning from "R-6" Residential Single-Family District to "MF-18" Multi-Family District on Lot 9, NCB 17946, 8682 Bandera Road. Staff recommends approval.

Keith Mohundro, owner, stated the purpose of this request is to allow for condominium development.

The following citizen(s) appeared to speak:

Jennette Richmond, Attorney representing many homeowners, stated they strongly oppose this request. She stated the applicant has not contacted the homeowners association. She further stated she collected a petition expressing their opposition.

Susan Ratliff, spoke in opposition.

Oscar Barabino, spoke in opposition.

Vincent Bosquez, spoke in opposition.

Rick Stockton, spoke in opposition.

Pamela Sanson, spoke in opposition.

Tom LeeRoy, spoke in opposition.

Nic Wadsworth, spoke in opposition.

Erin Knickerbocker, spoke in opposition.

Felix Borin, spoke in opposition.

Tara Safoutin, spoke in opposition.

Staff stated there were 34 notices mailed out to the surrounding property owners, 5 returned in opposition and 0 returned in favor. Staff mailed 11 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner Sherrill and seconded by Commissioner Wright to recommend denial.

AYES: Gadberry, McFarland, J. Valadez, Westheimer, Sherrill, Hawkins, Myers, Wright, Martinez, Gray

NAY: None

THE MOTION CARRIED

10. ZONING CASE NUMBER Z2009045 CD (Council District 1): A request for a change in zoning from "R-5" Residential Single-Family District to "R-5-CD" Residential Single-Family District with a Conditional Use for an assisted living facility on Lot 10, Block 2, NCB 11016, 222 Meadowood Lane. Staff recommends denial.

Mona Talukdar, applicant, stated the purpose of this request is to allow for a personal day care. She stated she has contacted the surrounding neighbors who have expressed support. She stated she has tried numerous times to contact homeowners association but has received a response.

The following citizen(s) appeared to speak:

Art Veliz, President of Ridgeview Neighborhood Association, stated they are in opposition. He expressed concerns with commercial encroachment and with the increase in traffic.

Charles Muery, spoke in opposition.

Staff stated there were 23 notices mailed out to the surrounding property owners, 5 returned in opposition and 0 returned in favor and Shearer Hills/Ridgeview Neighborhood Association is in opposition. Staff mailed 73 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner Westheimer and seconded by Commissioner Wright to recommend denial.

AYES: Gadberry, McFarland, J. Valadez, Westheimer, Sherrill, Hawkins, Myers, Wright, Martinez, Gray

NAY: None

THE MOTION CARRIED

11. ZONING CASE NUMBER Z2009046 CD (Council District 2): A request for a change in zoning from "RM-4" Residential Mixed District to "RM-4 CD" Residential Mixed District with a Conditional Use for a Noncommercial Parking Lot on the west 27 feet of Lot A-11, Block 34A, NCB 631, 123 Hardeman Street. Staff recommends denial.

Steve Braimer, representative, stated the purpose of this request is to allow for a parking lot.

The following citizen(s) appeared to speak:

Mr. Perry, stated he is in support.

Staff stated there were 40 notices mailed out to the surrounding property owners, 1 returned in opposition and 9 returned in favor and no response from Historic Gardens Home Owners Association and Nevada Street Neighborhood Association. Staff mailed 162 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner Hawkins and seconded by Commissioner Myers to recommend approval.

AYES: Gadberry, McFarland, J. Valadez, Westheimer, Sherrill, Hawkins, Myers, Wright, Martinez, Gray

NAY: None

THE MOTION CARRIED

12. ZONING CASE NUMBER Z2008274 CD S (Council District 6): A request for a change in zoning from "R-4" Residential Single-Family District, "R-5" Residential Single-Family District, "R-6" Residential Single-Family District, "MF-33" Multi-Family District, "C-2" Commercial District, "C-3" General Commercial District, "C-3NA" General Commercial District, Nonalcoholic Sales, "C-3R" General Commercial District, Restrictive Alcohol Sales, "I-1" General Industrial District to "R-4" Residential Single-Family District, "R-5" Residential Single-Family District, "R-5 CD" (CD-Multi-Family Dwellings) Residential Single-Family District with a Conditional Use for Multi-Family Dwellings, "R-5 CD" (CD-Four Family Dwelling) Residential Single-Family District with a Conditional Use for a Four Family Dwelling, "R-5 CD" (CD-Two-Family Dwelling) Residential Single-Family District with a Conditional Use for a Two-Family Dwelling "R-6" Residential Single-Family District, "R-6 CD" (CD-Three-Family Dwelling) Residential Single-Family District with a Conditional Use for a Three-Family Dwelling, "MF-33" Multi-Family District, "O-1" Office District, "NC" Neighborhood Commercial, "C-2" Commercial District, "C-2NA" Commercial District, Nonalcoholic Sales, "C-2 S" Commercial District with a Specific Use Authorization for a Bar/Tavern, "C-2NA S" Commercial District with a Specific Use Authorization for a Car Wash, "C-2NA CD" (CD-Storage-Outside [Screening from public right of ways and adjacent property required] Commercial District, Nonalcoholic Sales with a Conditional Use for Outside Storage, "C-2NA CD" (CD-Auto and Light Truck Repair) Commercial District, Nonalcoholic Sales District with a Conditional Use for an Auto and Light Truck Repair Facility, "C-2NA CD" (CD-Tree Cut and Trim Service) Commercial District, Nonalcoholic Sales District with a Conditional Use for a Tree Cut and Trim Service, "C-2NA CD" (CD-Sand or Gravel -Storage and Sales) Commercial District, Nonalcoholic Sales with a Conditional Use for Sand or Gravel-Storage and Sales, "C-2NA CD" (CD-Hardware Sales-Wholesale) Commercial District, Nonalcoholic Sales with a Conditional Use for Hardware Sales-Wholesale, "C-2NA CD" (CD- Wrecker Service) Commercial District, Nonalcoholic Sales with a Conditional Use for a Wrecker Service, "C-2NA CD" (CD-Contractor Facility) Commercial District, Nonalcoholic Sales District with a Conditional Use for a Contractor Facility, "C-2NA CD" (CD-Auto Glass Sales) Commercial District, Nonalcoholic Sales with a Conditional Use for Auto Glass Sales, "C-2NA CD" (CD-Auto Paint and Body) Commercial District, Nonalcoholic Sales with a Conditional Use for an Auto Paint and Body Facility, "C-2NA CD" (CD-Veterinary Hospital-Small Animal [No outside runs, pens, and paddocks permitted]) Commercial District, Nonalcoholic Sales with a Conditional Use for a Veterinary Hospital-Small Animal [No outside runs, pens, and paddocks permitted]), "C-2NA CD" (CD-Food Products-Wholesale and Storage) Commercial District, Nonalcoholic Sales with a Conditional Use for Food Products-Wholesale and Storage, "C-3R" General Commercial District, Restrictive Alcohol Sales, "C-3NA" General Commercial District, Nonalcoholic Sales, "C-3NA S" General Commercial District, Nonalcoholic Sales with a Specific Use Authorization for Welding Shop, "C-3NA" General Commercial District, Nonalcoholic Sales with a Conditional Use for Warehousing, "C-3NA S" General Commercial District, Nonalcoholic Sales with a Specific Use Authorization for Auto Alarm and Radio Sales

and Installation on multiple properties generally located on Southwest 36th Street bound by Marbauch Avenue to the north and Ceralvo Street to the South; located on Castroville Road, bound by Marbauch Avenue, Akron and Wallace Streets to the north, Southwest 36th Street to the west, South General McMullen to the East and Ceralvo Street to the south; and located on South General McMullen bound by Castroville Road to the north, Juanita Street to the west, Camilo and Amerada to the east and Patton Boulevard to the south. Staff recommends approval.

City staff represented this case.

The following citizen(s) appeared to speak:

Juan Gonzales, stated he would like to maintain his existing zoning of "C-2NA".

Kevin Jones, spoke in opposition. He stated their concern that this would prohibit their future growth at 1232 S. General McMullen.

Jesusa Chambers, spoke in opposition. She stated she would like to maintain their existing zoning.

Teresa Menendez, spoke in opposition. She stated she would like to maintain their existing zoning.

Ruben Reyes, stated he would like to maintain his existing zoning.

Staff stated there were 144 notices mailed out to the surrounding property owners, 4 returned in opposition and 2 returned in favor and no response from Greater Gardenhale Neighborhood Association, Community Workers Council and Los Jardines Neighborhood Association.

Commission moved this item to the end of the agenda.

13. Briefing from the Metropolitan Planning Organization (MPO) regarding upcoming Public Workshops for Growth Scenarios to guide Transportation Decisions.

Jeanne Geiger, briefed Commissioners on this item.

14. Briefing on the Military Lighting Overlay District Comprehensive Rezoning Case.

Chris Looney, Planning Manager, briefed Commissioners on this item.

15. Briefing on status of Zoning Commission Subcommittee items passed by Zoning Commission on February 6th.

Chairman Gadberry stated at their last Subcommittee Meeting motions were passed regarding attendance and term expiration. He stated he has contact City's Clerk's Office and they are in the process of including a disclaimer at the bottom of the each Boards/Commissions tables that states being expired does not indicated Member is off the Board/Commission. Secondly, he stated he has been in contacted with Councilman Rodriguez and was advised to attend their next Ad Hoc Committee Meeting and request that their Subcommittee be put on their next agenda.

16. ZONING CASE NUMBER Z2008274 CD S (Council District 6)

COMMISSION ACTION

The motion was made by Commissioner Martinez and seconded by Commissioner Myers to recommend approval of the following:

- 1735 & 1737 Castroville Road to remain "I-1"
- 1232 S. General McMullen to remain "I-1".
- 1419 Castroville to remain "C-3R"
- And staff will amend their recommendation from "R-6" to "NC" on the property located at 968 S. W. 36th Street which is currently zoned "C-2NA".

AYES: Gadberry, McFarland, J. Valadez, Westheimer, Sherrill, Hawkins, Myers, Wright, Martinez, Gray

NAY: None

THE MOTION CARRIED


February 17, 2009

9

16. **ADJOURNMENT**

There being no further business, the meeting was adjourned at 3:30 p.m.

APPROVED:

A handwritten signature in cursive script, appearing to read "Don Gadberry".

Don Gadberry, Chairman

ATTEST:

A handwritten signature in cursive script, appearing to read "J. Lovelace".

Executive Secretary